

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RATIFYING THE CACHUMA
OPERATION AND MAINTENANCE BOARD'S APPROVAL
OF THE MODIFIED SOUTH COAST CONDUIT UPPER
REACH RELIABILITY PROJECT, AND AUTHORIZING
CERTAIN OTHER ACTIONS

WHEREAS, the City of Santa Barbara, (the "City") is duly organized and existing under the Constitution and laws of the State of California;

WHEREAS, pursuant to the Ralph M. Brown Act constituting Chapter 9 of Part 1 of Division 2 of Title 5 (commencing with Section 54950) of the California Government Code this meeting was duly noticed;

WHEREAS, the City is a member agency of the Cachuma Operation and Maintenance Board ("COMB"), which operates pursuant to the 1996 Amended and Restated Agreement for the Establishment of a Board of Control to Operate and Maintain the Cachuma Project – Cachuma Operation and Maintenance Board, dated May 23, 1996 ("Amended and Restated Agreement"), as amended by an Amendment to the Amended and Restated Agreement made effective September 16, 2003 (collectively, the "Joint Powers Agreement");

WHEREAS, the City has determined, in accordance with Section 1.3(i) of the Joint Powers Agreement, to ratify the approval by COMB of the Modified South Coast Conduit Upper Reach Reliability Project, which action to approve the project was taken by the COMB Board on June 27, 2011, by minute action ("Modified Upper Reach Project");

WHEREAS, the Modified Upper Reach Project consists generally of South Coast Conduit pipeline improvements, the replacement or rehabilitation of certain infrastructure facilities, and related work or activities for that portion of the South Coast Conduit between the South Portal of the Tecolote Tunnel and the Corona Del Mar Water Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. Declaration of the City Council. This City Council hereby specifically finds and declares that the actions authorized hereby constitute and are with respect to public affairs of the City, and that the statements, findings and determinations of the City set forth in the preambles above are true and correct.

SECTION 2. Ratification of COMB Approval of the Project. Pursuant to Section 1.3(i) of the Joint Powers Agreement, the City Council hereby ratifies COMB's approval of the Modified Upper Reach Project not to exceed \$4,200,000, to be budgeted and paid for over two fiscal years from July 1, 2011, through June 30, 2013.

SECTION 3. Conditions. The City shall have an obligation to pay its percentage share, as provided below, of all project costs; provided, however, such project costs shall not exceed \$4,200,000, for the Modified Upper Reach Project

Goleta Water District:	40.42%
City of Santa Barbara:	35.88%
Montecito Water District:	11.50%
Carpinteria Valley Water District:	12.20%

The City's ratification in Section 2, above, is expressly conditioned upon the approval and execution of an indemnification agreement between COMB and the Santa Ynez River Water Conservation District, Improvement District No. 1 with respect to the Modified Upper Reach Project.

SECTION 4. Further Actions. The Public Works Director of the City is hereby authorized to do any and all things and to execute and deliver any and all documents, which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this resolution.

SECTION 5. Effective Date. This resolution shall take effect immediately upon its passage.